

MANSFIELD TOWNSHIP LAND USE BOARD
MAY 21, 2018
MINUTES

Official notice of the time, date and location of this regular public meeting, where formal action may or may not be taken, was given by publication in The Express Times. In addition, notice of this meeting was posted on the bulletin board in the Municipal Building, publishing on the Municipal web site, and given to the Township Clerk.

The regularly scheduled meeting of the Mansfield Township Land Use Board was called to order by Chairman Vaezi at 7:30 PM.

The meeting was opened by stating that adequate notice of this public meeting had been provided in accordance with the Open Public Meetings Act by:

1. posting a notice of this meeting on the bulletin board of the Municipal Building;
2. causing said notice to be published in The Express Times;
3. furnishing said notice to those persons requesting it pursuant to the Open Public Meetings Act; and
4. filing said notice with the Township Clerk.

Present: Farino, Hayes, Spender, Jewell, Keggan, Vaezi

Alternates present: Creedon, Cruts, Petteruti

Absent: Hight, Minter, Barton

Also present: William Edleston, Esq.; Chris Kastrud, P.E.

Pledge of Allegiance was recited by all.

MOTION was made by **HAYES** to approve the minutes of the March 21, 2018 meeting minutes.
SECONDED: SPENDER

Those in favor: Spender, Farino, Keggan, Hayes, Jewell, Cruts, Vaezi

Opposed: None.

Abstained: None.

Case 18-03, Joseph Callari – Use Variance - Block 301 Lot 28.02 – Completeness

The applicant was not present, noticing was too late for a hearing.

Mr. Edleston deferred to Engineer Kastrud for completeness and mentioned this will require a zoning ordinance amendment to accommodate anyone with similar circumstances to not have to file a use variance for an emergency of this nature.

Mr. Kastrud recommended deeming the application complete from an Engineering perspective

and Clerk Griffith as well for Administrative completeness.

MOTION was made by **SPENDER** to deem the application Complete with a hearing scheduled for June 18.

SECONDED: KEGGAN

Those in favor: Spender, Keggan, Jewell, Cruets, Vaezi

Opposed: None.

Abstained: Hayes, Farino

Case 18-01, Meadows at Mansfield - Amended Preliminary Major Site Plan – Block 1501 Lots 9.01-07, 9.111 & 9.112 - Hearing

[Mr. Hayes and Mr. Farino stepped down, [Mr. Cruets, and Mr. Petteruti took their place]

Mr. Schnieder, Esq. representing Meadows at Mansfield, LLC provided an overview of the application and intended witnesses.

Mr. Schnieder, Esq. explained that based on several prior development approvals a settlement agreement resulted in 2014 which authorized development of up to an additional 40 lots subject to sewer capacity, of which 8 of the 40 are being requested. This is a permitted conditional use under Mansfield's zoning ordinance which requires that the Board operate as a Board of Adjustment. Variance relief from front side yard setback and minimum distance between buildings is being sought in response to market demand for 50 foot dwelling units.

Mr. Schnieder, Esq. provided a preview of witnesses - Mr. Dennis Keenan, applicants' site plan engineer; will review revisions to wastewater treatment facility and relocated club house, Michelle Strassheim, architectural rendering of club house, Adams Stern of NSU, wastewater treatment facility technical aspects, Joe Battaglia of Ryan Homes contract purchasing responsible for sales and marketing, Mr. John Chadwick, applicants professional planner.

Mr. Schnieder, Esq. noted that at the last meeting there was a completeness determination with certain supplemental items requested by the Board in order to deem completeness which had been provided except for the TWA which was handed to the Engineer and Secretary.

Chairman **VAEZI** asked if the tax issue was resolved.

Mr. Edleston stated the taxes, if not resolved, would have to be a condition of Certificate of Occupancy, but it would be appropriate to renew the Completeness determination now that the outstanding items from the last meeting have been provided.

MOTION made by **VAEZI** to deem **Case 18-01, Meadows at Mansfield** Complete.

SECONDED: JEWELL.

Those in favor: Spender, Keggan, Jewell, Creedon, Cruets, Petteruti, Vaezi
Opposed: None.
Abstained: None.

Mr. Edleston, Esq. swore in Dennis Keenan, P.E. of French and Parillo responsible for Site Plan.

The Board accepted the credentials.

Mr. Schnieder, Esq, confirmed that Mr. Keenan is familiar with the lengthy history of this project and specific approvals as they relate to this application and relative ordinances.

Mr. Keenan stated the site plan was approved for 226 age restricted units broken into three phases, Phase I off to the East includes 91 units, Phase 2 to the West with 90 units and Phase 3 to the North with 45 units. The Preliminary and Final Site Plan approval for Phase I is filed with the County which Phase 2 and 3 have preliminary approval.

Mr. Schnieder, Esq. summarized a settlement agreement that was reached between the Meadows, Township and Township LUB stating the property must be developed as age restricted with no affordable housing units and a portion of the inspection fees to be paid by the Township. There was also an approval that the applicant to come back for approval of up to an additional 40 units.

Exhibits displayed:

- A1 - original approved plan - Sheet 4 of 59 last revised August 7, 2008 Meadows at Mansfield Overall Subdivision Map.
- A2 - sheet 5 of 59 last revised August 7, 2008 showing Phase 1 and Phase 2 with club house along Rt. 57.
- A3 - sheet 1 of 1 Amended Preliminary Subdivision color rendering of proposed additional 8 units dated 5/18/2018

Mr. Keenan showed the extension of Redwood Run with a new cul de sac approximately 500 feet off Thomas Knoll Boulevard. To align these 8 new properties with the Mountain View Lane properties across the street the rear property lines were moved up 13 feet.

Mr. Schnieder, Esq. noted that the lots themselves do not need any variance relief but based on the previously mentioned market demand for 50 wide units the applicant is seeking relief in anticipation of this size unit.

Mr. Keenan noted that the front yard setback and combined side yard setbacks would only be 10 feet not the required 15 feet. If purchaser wants a 43ft unit then these variances would not be required. Existing units that backed up to a public area now back up to private residences.

Mr. Keenan displayed A3 showing trees and landscaping consistent with what was already on the rest of the property. Additional lighting will be provided along Redwood Run with 43

parking stalls for the clubhouse.

The clubhouse was by lot 7 but is now centered on Redwood Run creating a separation of Redwood Run from Route 57 using step downs. A variance is being requested for the front yard setback requirement of 25 feet which is only 12 feet off of the ROW line, although the belief is that the ordinance refers to individual building lots.

Mr. Keenan cited Exhibit A4 Sheet 6 of 59 last revised August 7, 2008 Wastewater Treatment facility and approved Phase I plan showing the relocation of the wastewater treatment plant to where only the pump house was by Thomas Knoll Blvd, and reducing 4 recharge areas to 2. The reasons for this move are that the pump house was a distance from the fields and it was very visible to several homes while the new location is more separated and allows for berms to hide it. Exhibit A5 newly revised treatment plan amendment dated 5/18/2018 was presented adding significant landscaping to screen facility from units. The access road also needed to change due to the size of vehicle needed in order to pump tank.

Mr. Schnieder, Esq. questioned the stormwater capacity which Mr. Keenan stated a minor modification was made to the stormwater basin for more capacity compliant with standards.

Mr. Keenan presented A6 Proposed Dwellings Redwood Run Sheet 1 dated 5/20/18 used the marketing pictures to scale to provide a visual of the distance between homes.

Mr. Keenan reviewed the Land Use Board Engineer's report comments beginning on Page 4.

Item 1 – the applicant agreed to possible name change for the Redwood Run extension.

Item 2 – storm water basin change calculations will be submitted.

Item 3 – clubhouse will be handled just like household garbage with storage to be discussed.

Item 4 – applicant will consider screening the proposed 10 ft fence around the tennis court

Item 5 - treatment facility proposed 8 ft fence will be looked at.

Item 6 – meets and bound will be updated.

Item 7 – applicant agreed to have the HOA takeover the plowing responsibility for the parking spots.

Item 8 – current TWA permit was provided, Mr. Stern will speak to the details.

Item 9 - sewer mains are constructed up to last manhole just up to edge of Thomas Knoll Rd.

Mr. Stern will speak to status during his testimony.

Item 10 – applicant agreed to submit detention basin retaining wall calculations.

Item 11 – applicant agreed to submit details of Site Identification sign adjacent to the cul de sac

Item 12 – applicant will confirm regrading will not impact site distance.

Item 13 - HOA will maintain right of way light poles and pay for usage.

Item 14 – revised storm water report will be submitted reflecting changes to the detention basin.

Item 15 – outstanding development approvals required for updated TWA plan with timing of the installation of the tanks and installation of water storage tanks required for fire flow.

Mr. Bill Hotz, Principal Meadows at Mansfield, spoke regarding NJ American Water Anderson

water connection being live with plenty of volume. As homes become closer together the firefighting requirement changes. The previously approved water storage tanks are on the way in addition to the water being able to be drawn out of the existing potable water system.

Mr. Edleston, Esq. asked when NJAW will be running the water line along Rt. 57.

Mr. Hotz explained an asset transfer agreement was entered into with NJAW taking over the onsite water mains which required a Performance Guarantee and a Main Extension agreement along with evidence of filing for offsite highway utility permits which DOT is currently reviewing. Plans have been turned over the NJAW to start bidding out project. Meadows has been hesitating in hoping the water main extension would have happened quickly but Ryan Homes is moving faster so the three fire flow tanks will be going in now.

Mr. Cruts asked if an updated Route 57 Traffic study was done as the prior one is 15 years old as Mansfield Township has changed since then.

Mr. Kastrud provided his opinion that it is probably not necessary for 8 additional homes.

Mr. Kastrud questioned the front yard variance off Thomas Knoll Boulevard for Lot 1 if only this lot would require a 10 ft. variance.

Mr. Keenan responded if buyer chooses a 50ft wide home it would require the 10ft setback variance, if a 43 ft unit is chosen then the 15ft setback will be accommodated.

Mr. Kastrud asked about the street trees being outside the ROW and the responsibility of the HOA.

Mr. Keenan did not know and would double check.

Mr. Kastrud asked if all new lots, including the clubhouse, drain down by gravity to the wastewater treatment facility, gets treated and pumped to the fields.

Mr. Keenan responded everything drains to the holding tank, gets treated and pump up to the field.

Mr. Kastrud asked about the height of the proposed treatment facility building and the clubhouse.

Chairman Vaezi posed the question why the Board should approve anything less than the setbacks for the existing planned homes.

Mr. Schnieder, Esq. explained that projects evolve and respond to market demand. The Board needs to decide if the site continues to be appropriate for the age restricted use and can it accommodate any issues associated with 5 feet less between dwellings or the lack of 15 ft or

would it create a detriment to the public good or does it create a substantial detriment to our zoning ordinance.

Chairman Vaezi asked about fencing around the pool since it is now closer to Route. 57.

Mr. Keenan explained the fence is a stand pool fence but the difference is the pool and clubhouse are much higher than Route 57.

Mr. Petteruti asked about the 12ft clubhouse setback and asked if it could be reduced.

Mr. Keenan explained moving the pool closer to Route 57 which would have created a need for a big retaining wall and would offset the Redwood Run intersection. Other options were discussed creating other lot size and impervious coverage issues

Chairman Vaezi opened to public at 9:13pm.

Mrs. Thompson expressed concerns regarding Meadows taxes having been paid and asked about NJAW water running the water line

Mr. Schnieder, Esq. explained the tax payments are currently in dispute based on a discrepancy in tax assessments based on the settlement agreement.

Mr. Hotz spoke to the current connection to the Anderson Water System which is not sufficient so there is a main extension agreement in place with American Water.

Mr. Hotz agreed to provide the Board a copy of the main extension agreement.

Mr. Vaezi closed public portion 9:24pm

Mr. Edleston, Esq. swore in Michelle Strassheim, Registered Architect.

Mr. Schnieder, Esq. asked for Michelle's professional certification and involvement in this application.

The Board accepted the Architect's credentials.

Exhibits displayed:

- Exhibit A7 clubhouse front consistent with single story building while taking advantage of the significant drop off in the rear depicted in Exhibit A8 two story back of the clubhouse.
- Exhibit A9 floor plan of clubhouse entrance with stairs and two wings.
- Exhibit A10 bottom floor allowing access to pool and tennis courts.

Mr. Jewell asked about the square footage of both floors.

Ms. Strassheim indicated the clubhouse is 10,127 total sf.

Chairman Vaezi asked about access to the clubhouse.

Ms. Strassheim explained that usually residents usually use a key fob system and restricted to certain hours.

Mr. Creedon asked about bathrooms with changing areas.

Ms. Strassheim stated there are men and ladies bathrooms on both levels but no changing rooms as it is assumed the residents will be dressed appropriately when they come to the clubhouse.

Mr. Cruts asked about a kitchen area.

Ms. Strassheim mentioned there would only be a wet bar, refrigerator and microwave but no other cooking facility.

Mr. Spender asked at what point this structure gets built.

Mr. Hotz stated there is an agreement with Ryan homes and in the developer agreement of what triggers this.

Mr. Kastrud asked about the cupala lighting.

Mr. Schnieder, Esq. indicated a lighting plan will be provided.

Mr. Kastrud asked about mechanical condenser locations and if the bottom floor bathroom facilities will flow by gravity since they are 10 ft lower than the road.

Mr. Hotz explained the traditional split system condensers will be hidden on the side and the clubhouse bathroom sewage will be pumped to the wastewater system.

Mr. Kastrud asked if this clubhouse would be rented out to the public.

Mr. Hotz state it would not.

Chairman Vaezi opened to public at 9:39pm
Chairman Vaezi closed public comment at 9:40pm

Mr. Edleston, Esq. swore in Adam Stern, P.E., specializing in onsite water treatment.

The Board accepted the credentials.

Mr. Schnieder, Esq. confirmed familiarity with both original treatment facility placement and revised plan.

Mr. Stern presented Exhibit A4 again to explain the benefit of moving the treatment facility making the system gravity fed. As previously mentioned the 8 foot fence enclosure of the building was agreed to be changed to 6 foot tall as there would no longer be an open tank.

Mr. Schnieder, Esq. asked about capacity, which came up at the Completeness review, based on the additional 8 units.

Mr. Stern explained that the system can handle more than 234 units flowing 45,235 gallons per day which will depend on the mix of 2 and 3 bedroom homes, original calculations were based on 50/50, as it is the total flow that counts. Typically seen are significantly less than design flows but we won't know until homes are on board and there is a track record.

Mr. Cruts asked about the TWA which shows it expired on 4/6/2018.

Exhibit A11 TWA Extension letter received 4/20/18 was provided which was based on the original layout.

Mr. Cruts stated that some number of homes between 50 and 75 would trigger the treatment system to be turned on but what is the number.

Mr. Stern stated flow rates will determine this and cited calculations somewhere around 10,000 gallons per day.

Mr. Keggan asked what is done in the meantime.

Mr. Stern explained part of the facility will be used as a holding tank which must be pumped.

Chairman Vaezi asked for clarification of the total additional homes being requested and calculations for the treatment system.

Mr. Cruts asked about the possibility of these 8 additional homes and additional 32 homes being asked for later and the ability of the treatment plant to handle them.

Mr. Stern indicated it will depend on what happens with the mix of 2/3 BR homes and flow history.

Mr. Jewell suggested that perhaps another bed could be added if necessary.

Mr. Hayes asked about the model home and sewer hookup.

Mr. Hotz indicated the model home has a portable toilet and will be going into a temporary holding area.

Mr. Kastrud asked about the wastewater facility to accommodate the two recent home applications and inspections on the sewer lines.

French & Parrello confirmed they have witnessed pressure testing; Finelli then Pennoni were also on site and have done prior inspections.

Mr. Hayes mentioned the inspections should still be done by Pennoni.

Mr. Kastrud confirmed with Mr. Stern that 10,000-15,000 gallons per day is the required flow amount to be able to turn the treatment system on.

Mr. Stern clarified the TWA permit only allows for the temporary pump and hall situation as part of the treatment facility until sufficient flow is produced.

Mr. Hotz explained the town granted accommodation for a temporary situation for the model home but intend to connect to the EQ tank prior to any resident occupying a home as approved in the TWA.

Mr. Edleston asked who pays for the interim pumping and hauling.

Mr. Hotz stated the developer is paying for that until it's time to start the plant.

Chairman Vaezi asked how long it takes to build a plant.

Mr. Stern stated that it takes about 9 months to build the wastewater treatment plant. It has to be planned based on projected sales.

Mr. Cruts asked about the number of homes needed for the HOA to take over pumping.

Mr. Hotz did not have an answer.

Mr. Stern expects having the first 5000 gallon tank in August 1.

Mr. Hotz explained that currently the model home sewage is stored in a sewer manhole with an agreement in place for pumping with Russell Reid while wastewater flows are monitored.

Mr. Schneider, Esq. agreed to grant a time extension and defer remaining two witnesses to the June 18 meeting without further notice.

Chairman Vaezi opened meeting to public for the Meadows application at 10:42pm
Closed public portion

MOTION made by Chairman Vaezi to carry the Meadows application to June 18 with no further notice to the public.

SECONDED: Mr. Jewell

Those in favor: Spender, Keggan, Jewell, Creedon, Cruets, Petteruti, Vaezi

Opposed: None.

Abstained: Hayes, Farino

Mr. Hayes and Mr. Farino assumed their positions at the dais.

Chairman Vaezi opened meeting to the public

John Mercurio, Hoffman Rd, submitted zoning permit for a garage which was denied by zoning due to the size of the building.

Mr. Kastrud stated the Ordinance addressing this will be introduced at the Township this Wednesday and adoption on June 27.

Public portion closed.

OLD BUSINESS – None

NEW BUSINESS – None

DISCUSSION/CORRESPONDENCE - None

INVOICES:

William Edleston, Esq.

Invoice-774	Meadows	\$640.00
Invoice-775	5/21 Meeting attendance	\$500.00
Invoice-776	Callari application	\$80.00

Kastrud Engineering, LLC

Invoice 1233	General Professional Services	\$120.00
Invoice 1233	18-01 Meadows - Completeness	\$600.00
Invoice 1234	17-05 DPW Holdings - tax maps	\$60.00
Invoice 1235	17-06 Mansfield Commons II	\$150.00
Invoice 1236	17-07 Mark Duke	<u>\$60.00</u>

GRAND TOTAL \$2,210.00

MOTION was made by **FARINO** to authorize payment by the Township Committee of the

invoices submitted by the professionals.

SECONDED: HAYES.

Those in favor: Spender, Hayes, Jewell, Keggan. Farino, Creedon, Cruts, Vaezi

Opposed: None.

Abstained: None.

MOTION was made by **HAYES** to authorize engagement of Planner to being Master Plan re-examination.

SECONDED: VAEZI.

Those in favor: Spender, Hayes, Jewell, Keggan. Farino, Creedon, Cruts, Vaezi

Opposed: None.

Abstained: None.

The Chairman adjourned the meeting at 10:54 pm

Respectfully submitted,

JoAnn Griffith, Clerk